

REMARKS

Claims 1, 3-11, 13, and 24-27 are currently pending in this application. By way of the foregoing amendment, claim 1 has been amended in response to the indefiniteness and written description rejections, claim 27 has been added, and claim 24 has been amended to depend from claim 27. Applicants respectfully submit that no new matter has been added by way of these amendments.

Rejections Under 35 U.S.C. § 112, first paragraph

Claims 1, 3-11, 13 and 24-26 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In particular, the Action states that there is no support in the original specification for the claim 1 step of “adding an additive, wherein said additive is one selected from a group consisting of a polymer, a nitrogen source, an alcohol, a Hoagland’s solution, and a mixture thereof.”

In response to this rejection, independent claim 1 has been amended to recite, “adding an additive, wherein said additive includes a nitrogen source, an alcohol, and a Hoagland’s solution.” Applicants respectfully submit that claim 1, as amended, is fully supported by paragraphs [0024] – [0027] of the specification. In addition, claim 27 has been added to depend from claim 1, and original claim 24 has been amended to depend from claim 27.

Based on the foregoing amendment, withdrawal of the written description rejections of pending claims 1, 3-11, 13, and 24-26 is respectfully requested.

Rejections Under 35 U.S.C. § 112, second paragraph

Claims 1, 3-11, 13 and 24-26 are also rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Action states that the claim 1 steps of “filtrating said biopulp for preparing a filtrate,” “formulating said filtrate for preparing said plant nutrition,” and “fermenting said culture for preparing said biopulp” are unclear. The Action recommends replacing the phrase “for preparing” with the phrase “so as to prepare.” In response to this rejection, independent claim 1 has been amended in accordance with the Examiner’s recommendation.

Based on the foregoing amendment, withdrawal of the indefiniteness rejections of pending claims 1, 3-11, 13, and 24-26 is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

Applicant: Huang et al.
Application No.: 10/783,912

In view of the foregoing remarks, Applicants respectfully submit that the present application, including claims 1, 3-11, 13, and 24-27, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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